



County of Los Angeles CHIEF EXECUTIVE OFFICE

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June 25, 2014

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE

Executive Summary

This memorandum contains reports on the following:

- **Status of County-Sponsored Legislation**
 - **County-co-sponsored AB 1607 (Fox)** - related to Sexually Violent Predators, passed the Senate Public Safety Committee on June 24, 2014.
 - **County-sponsored SB 498 (Lara)** - related to including conversion technologies in the definition of biomass conversion, passed the Assembly Environmental Safety and Toxic Materials Committee on June 24, 2014.
 - **County-sponsored SB 1388 (Lieu, Hill and Mitchell)** - related to increased penalties on individuals who solicit minors, passed the Assembly Public Safety Committee on June 24, 2014.
- **Status of County-Advocacy Legislation.** The status of 11 County-advocacy bills related to: 1) the development of a plan to extend the availability of condoms in State prisons; 2) regulation of beach fire rings; 3) the provision of hypodermic needles; 4) the employee relations commissions of the County of Los Angeles and the City of Los Angeles; 5) enrollment in an energy program;

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6) change orders for public works projects; 7) emergency vehicles; 8) nutritional guidelines for vending machines; 9) disposal of home-generated pharmaceutical waste; 10) outpatient drug counseling treatment; and 11) the Drug Medi-Cal program.

- **Status of Legislation of County Interest.** The status of three bills of County-interest related to firearms including: 1) gun violence restraining orders; 2) regulation of imitation firearms such as BB devices; and 3) requirements for identifying information on firearms.

Status of County-Sponsored Legislation

County-co-sponsored AB 1607 (Fox), which as amended on May 6, 2014, would clarify the process by which the county of domicile is determined and require the county, or counties, alleged to be the county of domicile to be given notice of the domicile hearing and allow the county or counties to be given an opportunity to submit declarations and present documentary evidence as to the issue of domicile. Once domicile has been established, AB 1607 would also allow the designated attorney of the county of domicile to later elect to represent the State at the conditional release hearing. AB 1607 passed the Senate Public Safety Committee, with amendments, by a vote of 7 to 0 on June 24, 2014. This measure now proceeds to the Senate Appropriations Committee.

County-sponsored SB 498 (Lara), which as amended on January 27, 2014, would include conversion technologies in the definition of "biomass conversion" and define "biomass conversion" to mean the production of heat, fuels, or electricity by the controlled combustion of, or the use of other noncombustion thermal conversion technologies on specified materials, when separated from other solid waste, passed the Assembly Environmental Safety and Toxic Materials Committee by a vote of 6 to 0 on June 24, 2014. This measure now proceeds to the Assembly Appropriations Committee.

County-sponsored SB 1388 (Lieu, Hill and Mitchell), which as amended on May 20, 2014, would: 1) set the minimum fine for conviction of pimping of a minor at \$5,000 and maintain the maximum fine of \$20,000; and 2) establish a fine of not less than \$1,000 but not more than \$10,000 for anyone convicted of soliciting a minor. Additionally, SB 1388 would make a person who seeks to purchase, or who purchases, a commercial sex act guilty of a misdemeanor punishable in a county jail for at least

48 hours, but not more than six months, and by a fine of at least \$1,000 but not more than \$50,000. SB 1388 passed the Assembly Public Safety Committee, with amendments, by a vote of 6 to 0 on June 24, 2014. This measure now proceeds to the Assembly Appropriations Committee.

The amendments taken in committee are not yet in print, but it is our understanding that the amendments narrow the bill to focus the 48-hour mandatory jail period on those that solicit minors only and remove the minimum fine amount but increase the maximum amount. We will review the amendments once in print to determine impact.

Status of County-Advocacy Legislation

County-supported AB 966 (Bonta), which as amended on January 6, 2014, would require the California Department of Corrections and Rehabilitation (CDCR) to develop a five-year plan to extend the availability of condoms in all California prisons, passed the Senate Appropriations Committee by a vote of 7 to 0 on June 23, 2014. This measure now proceeds to the Senate Floor.

County-support-and-amend AB 1102 (Allen and Quirk-Silva), which as amended on June 10, 2014, would require public agencies located in the south coast district with jurisdiction over an area containing beach fire rings to comply with the open burning rule adopted by the South Coast Air Quality Management District and the California Coastal Act and would further require these public agencies to submit an application for a coastal development permit in order to remove or restrict the use of a beach fire ring, passed the Senate Natural Resources and Water Committee by a vote of 7 to 0 on June 24, 2014. This measure now proceeds to the Senate Appropriations Committee.

County-supported AB 1743 (Ting), which as amended on May 27, 2014, would authorize a pharmacist or physician to provide an unlimited number of hypodermic needles and syringes to a person 18 years of age or older, for personal use, until January 1, 2021, passed the Senate Public Safety Committee by a vote of 7 to 0 on June 24, 2014. This measure now proceeds to the Senate Floor.

County-opposed AB 1881 (Jones-Sawyer), which as amended on March 28, 2014, would prescribe requirements for appointments to the employee relations commissions of the County of Los Angeles and the City of Los Angeles, passed the Senate Public Employment and Retirement Committee by a vote of 3 to 2 on June 23, 2014. This measure now proceeds to the Senate Appropriations Committee.

County-opposed AB 2145 (Bradford), which as amended on June 12, 2014, would require each electricity customer to opt-in to a Community Choice Aggregation (CCA)

Program by requiring a positive declaration from the customer for participation in a CCA Program, among other provisions, passed the Senate Energy, Utilities and Communications Committee by a vote of 6 to 3 on June 23, 2014.

After lengthy discussion, the author agreed to take amendments to remove the "opt-in" standard for customer enrollment in a CCA and to allow for the formation of a CCA with a boundary of three contiguous counties. The Internal Services Department and this office will review the amendments once in print to determine if the County's concerns have been addressed. AB 2145 now proceeds to the Senate Environmental Quality Committee.

County-opposed AB 2471 (Frazier), which as amended on May 23, 2014, would: 1) require a public entity when authorized to order changes or additions to the work in a public works contract awarded to the lowest bidder, to issue a change order promptly, and no later than 60 days after the extra work is performed and reasonable documentation has been submitted, except as specified; 2) make the public entity liable to the original contractor for the extra work that has already been performed, if this requirement is not met; 3) require prejudgment interest to accrue on any amount for which the public entity fails to issue a change order promptly or make a payment due pursuant to this bill; 4) authorize an original contractor to present to the public entity a request for a change order for extra work performed by a subcontractor, including a lower tier subcontractor; 5) authorize a subcontractor to request that an original contractor present a change order request for extra work directed by the public entity that was performed by the subcontractor or lower tier subcontractor; and 6) require the original contractor to notify the subcontractor as to whether the original contractor presented the request to the public entity, as specified, passed the Senate Governmental Organization Committee by a vote of 10 to 0 on June 24, 2014.

The author and the bill's sponsor agreed to adopt certain amendments and to also continue discussion about the provisions regarding prejudgment interest rate that would accrue if a public agency fails to issue a change order or fails to pay in accordance with the bill's provisions. The Department of Public Works and this office will review the amendments once in print to determine how they may impact the County. AB 2471 now proceeds to the Senate Appropriations Committee.

County-supported SB 573 (Lieu), which as amended on June 17, 2014, would expand the types of vehicles that may be authorized by the Commissioner of the California Highway Patrol as emergency vehicles to include any vehicle owned and operated by a hospital designated by Los Angeles County as a Disaster Resource Center hospital, failed in the Assembly Transportation Committee by a vote of 2 to 1 on June 23, 2014.

County-supported SB 912 (Mitchell), which as amended on April 21, 2014, would make permanent provisions in current State law which require vending machine operators to provide food and beverage options that meet accepted nutritional guidelines in vending machines operated and maintained on State property, passed the Assembly Business, Professions and Consumer Protection Committee by a vote of 11 to 1 on June 24, 2014. This measure now proceeds to the Assembly Appropriations Committee.

County-supported SB 1014 (Jackson), which as amended on June 18, 2014, would authorize the establishment of a voluntary program to collect and dispose of home-generated pharmaceutical waste based on regulations jointly developed and adopted by the Department of Resources Recycling and Recovery and the California State Board of Pharmacy, passed the Assembly Business, Professions and Consumer Protection Committee, with amendments, by a vote of 13 to 0 on June 24, 2014. This measure now proceeds to the Assembly Appropriations Committee.

County-supported SB 1045 (Beall), which as amended on June 19, 2014, would require that an outpatient group setting in which drug free counseling services are provided consist of no less than two individuals and no more than 12 individuals, passed the Assembly Floor by a vote of 72 to 0 on June 23, 2014. This measure now returns to the Senate for concurrence.

County-supported SB 1339 (Cannella), which as amended on May 27, 2014, would require: 1) a certified Drug Medi-Cal provider's owner and medical director to, prior to contracting with a county or the California Department of Health Care Services (DHCS), submit fingerprint images and other related information to the California Department of Justice (DOJ) to obtain the person's criminal history information; 2) DOJ to forward the fingerprint images and related information to the Federal Bureau of Investigations (FBI) and to request a Federal summary of criminal information; 3) DOJ to review the information received from the FBI and provide a response to the affected counties or DHCS, while also authorizing DOJ to charge a fee to provider owners or medical directors sufficient to cover the cost of processing the criminal history information, passed the Assembly Health Committee, with amendments, by a vote of 17 to 0 on June 24, 2014. This measure now proceeds to the Assembly Appropriations Committee.

Legislation of County Interest

AB 1014 (Skinner and Williams), which as amended on June 11, 2014, would authorize a court to issue an ex parte gun violence restraining order, upon a showing of good cause, prohibiting the subject of the petition from having under his or her custody

and control, owning, purchasing, possessing, or receiving, or attempting to purchase or receive a firearm or ammunition and would require the ex parte order to expire no later than 14 days after the date on the order and would require a law enforcement officer to serve the restrained person the ex parte order, if the restrained person can reasonably be located. The bill would permit the restrained person to request a hearing on the order, and, if it is found at the hearing that the order is not supported by good cause, would require the court to dissolve the order, among other provisions. AB 1014 passed the Senate Public Safety Committee, with amendments, by a vote of 5 to 2 on June 24, 2014.

SB 199 (De León), which as amended on January 6, 2014, would revise the definition of a BB device to, among other things, include those devices within the definition of an imitation firearm requiring the adoption coloration and construction schemes to set them apart from standard firearms, passed the Assembly Public Safety Committee by a vote of 5 to 2 on June 24, 2014. This measure now proceeds to the Assembly Appropriations Committee.

SB 808 (De León), which as amended on January 21, 2014, would require, commencing January 1, 2016, a person who makes or assembles a firearm to first apply to the California Department of Justice for a unique serial number or other identifying mark and would require anyone who owns a firearm that does not bear a serial number to apply for a unique serial number, passed the Assembly Public Safety Committee by a vote of 5 to 2 on June 24, 2014. The provisions of this measure would restrict the production and assembly of undetectable firearms, such as 3D-printed firearms. This measure now proceeds to the Assembly Appropriations Committee.

We will continue to keep you advised.

WTF:RA
MR:KA:IGEA:ma

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants